

2923-495
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 15 2003

In re Application of)
TSCHOPE et al.)
Serial No. 09/508,510) Examiner: P. Mark)
Filed: May 26, 2000) Group Art Unit: 1646)
For: LIQUID INTERFERON-BETA)
FORMULATION)

TECH CENTER 1600/2900

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Under the provisions of 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant submits herewith copies of publications that the Office may wish to consider in examination of the subject application. The publications are listed on the attached form PTO-1449.

Each item of information contained in this information disclosure statement was first cited in communications from a foreign patent office in a counterpart foreign application. The communications were received by counsel not more than three months prior to the filing of this statement. To facilitate the Examiner's understanding of the possible relevance of the references, Applicants are submitting a copy of the Opposition papers in which the references were cited. One of the items

10/10/2003 MDAITE1 00000032 022135 09508510

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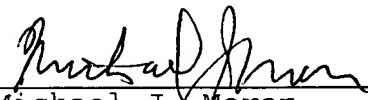
Serial No. 09/508,510
Inventor: TSCHOPE et al.

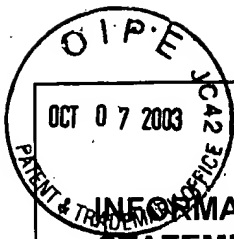
(Opposition of Bioceuticals Arzneimittel AG) is in the German language and Applicants do not at this time have an English translation. It is Applicants understanding that the Patent Office may have access to translation services through the Scientific library, however, if the Examiner requests the Applicant's representative will inquire as to the availability of an English language version.

Since this Information Disclosure Statement is being filed after the issuance of a final Office Action, it is requested that the petition fee in the amount of \$180.00 be charged to Deposit Account No. 02-2135 to cover the government surcharge for submission and consideration of the Information Disclosure Statement.

The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck, Customer No. 6449.

Respectfully submitted,

By 
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OCT 07 2003

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

Complete if Known

Application Number	09/508,510
Filing Date	May 26, 2000
First Named Inventor	TSCHOPE et al.
Group Art Unit	1646
Examiner Name	P. Mertz
Attorney Docket Number	2923-495

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Sheet 1 of 2

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee of Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office ³	Number ⁴	Kind ⁵ Code (if known)			
	A1	WIPO	WO89/02750	A1	Cetus Corporation	04-06-1989	
	A2	EPO	0 284 249	A1	Interferon Services, Inc.	09-28-1988	
	A3	WIPO	WO92/15614	A1	Chiron Ophthalmics, Inc.	09-17-1992	
Examiner Signature					Date Considered		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code. ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached. AB indicates that only an English language abstract is attached.

<div><div><div>OCT 07 2003</div><div>PATENT & TRADEMARK OFFICE 242</div></div><div>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</div></div>				Complete if Known	
				Application Number	09/508,510
				Filing Date	May 26, 2000
				First Named Inventor	TSCHOPE et al.
				Group Art Unit	1646
				Examiner Name	P. Mertz
Sheet	2	of	2	Attorney Docket Number	2923-495
NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T ²
	A4	Abstract/Figure, EMBL Research Reports, Table of Contents (1 page) 2001.			
	A5	"Opposition of Biocentrals Arzneimittel AG" to EP APN 98950074.9: July 4, 2003; July 31, 2003			
	A6	"Opposition of Intellectual Property Services" to EP APN 98950074.9: July 4, 2003; July 10, 2003			
Examiner Signature				Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²Applicant is to place a check mark here if English language Translation is attached.